

REMARKS

Claims 1-14 were pending in the present application. By this Amendment, Applicant has amended claims 1, 3, 8, 9, and 12, and has cancelled claims 13 and 14, without prejudice.

Specifically, claims 1 and 3 have been amended to recite methods of repairing a patterned seat surface of a pedestal, comprising, *inter alia*, the step of polishing said patterned seat surface using a coarse surface. claims 8, 9, and 12 have been amended merely for clarity. Support for the claim amendments can be found in the specification, claims, and drawings as originally filed. Specifically, support can be found, *inter alia*, at page 1, lines 27-30, in Figure 1, at page 5, lines 13-15, and at page 2, line 29. The present Amendment does not introduce any new matter and, thus, its entry is respectfully requested. Upon entry of the present Amendment, claim 1-12 will be pending and under examination.

The September 28, 2005 Office Action

Examiner's Claim Rejections - 35 U.S.C. §112, second paragraph

The Examiner rejected claims 8, 9, 12 and 13 as being indefinite under 35 U.S.C. §112, second paragraph. Specifically, the Examiner referred to the recitation of "to provide an improved grip" in claim 8 and posed the question: "to improve the grip of what?" With respect to claim 9, the Examiner requested clarification of the term "IPA." The Examiner also sought clarification as to what "that requires heating" refers to in claim 12, and further clarification as to what the "or's" in the claim refer to. Finally, the Examiner asserted that claim 13 does not

further limit claim 1, from which it depends.

In response, Applicant has amended claims 8, 9, and 12 for clarity, as noted above, and has cancelled claim 13, without prejudice. Applicant points out that the definition of IPA (isopropyl alcohol), which has been inserted into the claims, can be found, for example, at page 2, line 29 in the specification.

Applicant believes the above claim amendments fully overcome the Examiner's rejections under 35 U.S.C. §112, second paragraph, and thus, respectfully requests reconsideration and withdrawal of the rejections.

Examiner's Claim Rejections under 35 U.S.C. §102

Claims 1-5, 10, 12, 13 and 14 were rejected under 35 U.S.C. §102(b), as allegedly being anticipated by Zimmer et al. (U.S. Pat. No. 6,632,127). According to the Examiner, Zimmer discloses repairing by conditioning a "pedestal", as broadly claimed, that is used for semiconductor processing, wherein polishing the surface (14) uses a film of diamond particles (30) bonded to a substrate (26) of silicon material (col. 4, line 45), wherein the film has a coarseness of 15-30 microns (col. 4, line 35).

In response, without conceding the correctness of the Examiner's position, but to expedite allowance of the subject application, Applicant has amended independent claims 1 and 3. As amended, the claims now recite a method of repairing a patterned seat surface of a pedestal, comprising, *inter alia*, the step of polishing said patterned seat surface using a coarse surface.

Applicant asserts that the claims, as amended, are not anticipated by Zimmer. The disclosure in Zimmer is clearly limited to treatment of uniform surface fixed abrasive polishing pads (see, *e.g.*, column 6, lines 12 to 40), not the patterned seat surface of the present claims.

Furthermore, there is no teaching or suggestion in Zimmer that describes how a conditioning technique for polishing uniform surface polishing pads would lead to a method of repairing a patterned seat surface of a pedestal, as claimed in Applicant's amended claims. Moreover, the claimed technique would not have been obvious to one of ordinary skill in the art, based on the Zimmer reference.

Applicant notes that claims 13 and 14 have been cancelled without prejudice, rendering their rejection moot.

Applicant believes the Examiner's grounds for rejection over the Zimmer patent have been fully overcome by the amendments to the claims. Accordingly, reconsideration and withdrawal of the claim rejections under 35 U.S.C. §102 is respectfully requested.

Examiner's Claim Rejections Under 35 U.S.C. §103

The Examiner rejected claims 6 and 7 as being obvious over Zimmer, in view of Kimura et al. (U.S. Pat. No. 6,293,854). According to the Examiner, Zimmer discloses repairing by conditioning a "pedestal" as broadly claimed, that is used for semiconductor processing, wherein polishing the surface (14) uses a film of diamond particles (30) bonded to a substrate (26) of silicon material (col. 4, line 45), wherein the film has a coarseness of 15-30 microns (col. 4, line

35). The Examiner acknowledged that Zimmer does not disclose using an adhesive to bond the diamond film to the substrate. However, according to the Examiner, Kimura teaches repairing a pad or “pedestal” using a substrate (1) having a diamond film (3) bonded thereto by an adhesive (6). Therefore, in the Examiner’s opinion, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to bond the diamond film of Zimmer to the substrate with an adhesive, as taught by Kimura, in order to secure film to substrate using a well-known, inexpensive bonding means. The Examiner stated that the choice of adhesive, such as fluorinated oil, would have been an obvious design expedient, since any known adhesive would perform equally well.

Claims 8, 9 and 11 were rejected as being unpatentable over Zimmer alone. According to the Examiner, Zimmer discloses repairing by conditioning a “pedestal,” as broadly claimed, that is used for semiconductor processing, wherein polishing the surface (14) uses a film of diamond particles (30) bonded to a substrate (26) of silicon material (col. 4, line 45), wherein the film has a coarseness of 15-30 microns (col. 4, line 35). The Examiner acknowledged that Zimmer does not disclose using a tape to mount substrate, does not disclose applying IPA, and does not disclose wherein the pedestal is a heater pedestal. However, according to the Examiner, Zimmer uses an adhesive to bond the substrate to a backing plate. In the Examiner’s view, use of an adhesive tape would have been an obvious design expedient, since any known adhesive would perform equally well. The Examiner stated that it is not clear what IPA is, and that Zimmer discloses applying a slurry to pedestal before polishing. The Examiner asserted that, as best

understood, it therefore would have been obvious to one of ordinary skill in the art at the time the invention was made to apply a material prior to polishing in order to enhance the polishing effects and rates. In the opinion of the Examiner, the exact workpiece would have been an obvious design expedient since this method would work on various workpieces and would be within the level of ordinary skill.

In response, in light of the claim amendments presented herein, Applicant respectfully traverses the rejections under 35 U.S.C. §103. All of the Examiner's obviousness rejections rely on the Zimmer reference, and the rejected claims all depend either from claim 1 or from claim 3. In that regard, Applicant respectfully directs Examiner's attention to the remarks set forth above in connection with the anticipation rejection of these claims based on Zimmer. As noted above, Zimmer refers to treatment of uniform surface fixed abrasive polishing pads. It does not, however, teach or suggest how such a conditioning technique for polishing uniform surface polishing pads would lead one of ordinary skill in the art to a method of repairing a patterned seat surface of a pedestal, as now recited in the claims. Zimmer alone, therefore, does not render obvious any of the Applicant's claims, as amended. Moreover, the Kimura patent does not supply the teachings or suggestions missing from Zimmer that would be required to render the Applicant's claims obvious. Thus, even if one were to combine the teachings of the references as the Examiner has done, one would not arrive at the Applicant's claims, as amended. Accordingly, Applicant believes the obviousness rejections have been fully overcome. Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejections under

35 U.S.C. §103.

In view of the above amendments and remarks, it is believed that the claims satisfy the requirements of the patent statutes and fully address the Examiner's concerns as set forth in the September 28, 2005 Office Action. Reconsideration of the instant application and early notice of allowance therefore are requested. The Examiner is invited to telephone the undersigned if it is deemed to expedite allowance of the application.

No fee is believed due in connection with the filing of this Amendment. If, however, any fee is deemed necessary, authorization is hereby give to charge such fee, or credit any overpayment, to Deposit Account No. 02-2135.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'P. Skacel', written over a horizontal line.

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